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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,553	03/30/2004	Johannes Ruetschi	2003P19276 US	3401
7590 04/23/2007				
Elsa Keller Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830			EXAMINER SAMS, MATTHEW C	
			ART UNIT 2617	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/812,553	Applicant(s) RUETSCHI, JOHANNES	
	Examiner Matthew C. Sams	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 1/24/2007.

Response to Arguments

2. Applicant's arguments filed 1/24/2007 have been fully considered but they are not persuasive.

In response to the applicant's arguments regarding claims 1 & 12 (Pages 8-9) that Murray monitors a stored schedule and not the current location and presence of the devices, the examiner disagrees.

The examples taught by Murray shows the schedules of various mobile device owners that require the owner to be in diverse locations. Reminders are sent to the mobile device when the detected location and presence information differ from the expected location and presence information. (Col. 4 line 60 through Col. 5 line 43) Since the schedule, presence and location information taught by Murray can have multiple different events associated with one mobile device, it is inherently capable of having only one scheduled event and location. Therefore, whenever the mobile device is not at the expected location, a reminder is sent, which meets the limitations set forth in claim 1.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Murray (US-6,484,033).

Regarding claim 1, Murray teaches a communication system comprising:

a plurality of communications devices communicating with each other over a network; (Fig. 1 [60, 62 & 66])

a storage on said network storing location and presence information about system users, each of said plurality of communications devices being identifiable with at least one system user; (Col. 4 line 60 through Col. 5 line 43) and

an identity context reminder service monitoring location and presence status for said plurality of communications devices and comparing said monitored location and presence status for inconsistencies with stored said location and presence information, said identity context reminder service selectively providing a reminder to respective communications device of said plurality of communications devices responsive to an inconsistency. (Fig. 6 and Col. 4 line 60 through Col. 5 line 43)

Regarding claim 2, Murray teaches a presence service receiving presence status from said plurality of communication devices and providing received said presence status to said identity context reminder service. (Fig. 10 & Fig. 11)

Regarding claim 3, Murray teaches at least one said reminder indicates that said respective communication device is at a location other than a previously scheduled expected location. (Col. 4 line 60 through Col. 5 line 43, Fig. 6, Fig. 7 and Col. 10 lines 5-67)

Regarding claim 4, Murray teaches a location service receiving location status from said plurality of communications devices and providing received said location status to said identity context reminder service. (Col. 4 line 60 through Col. 5 line 43, Fig. 6, Fig. 7 and Col. 10 lines 5-67)

Regarding claim 5, Murray teaches at least one said reminder indicates that a user identified to said respective communications device is at a location other than an expected location. (Col. 4 line 60 through Col. 5 line 43, Fig. 6, Fig. 7 and Col. 10 lines 5-67)

Regarding claim 6, Murray teaches a notification service, said identity context reminder service identifying a selected one of said plurality of communications devices and said notification service providing said reminder to said selected one. (Fig. 2 [108], Col. 4 line 60 through Col. 5 line 43, Fig. 6, Fig. 7 and Col. 10 lines 5-67)

Regarding claim 7, Murray teaches the notification service is a text based messaging service. (Col. 3 lines 24-63 and Col. 4 line 60 through Col. 5 line 43)

Regarding claim 8, Murray teaches the text based messaging service is selected from the group consisting of e-mail, instant messaging and short message service (SMS). (Col. 3 lines 24-63)

Regarding claim 9, Murray teaches an identity context reminder client on at least one communications device of said plurality of communications devices, said identity context reminder client facilitating managing identity context reminder notifications from said at least one communications device. (Fig. 2 & Fig. 3)

Regarding claim 10, Murray teaches at least one of said communications devices is a mobile station in a cellular phone network. (Fig. 1, Fig. 2 & Fig. 3)

Regarding claim 11, Murray teaches the storage is a central storage and said identity content service is located on a server with said central storage (Fig. 1 [76]), and said communications system further comprises a rules based engine on said server monitoring said location and presence status for said plurality of communications devices and providing said identity context reminder service. (Fig. 6 and Col. 4 line 60 through Col. 5 line 43)

Regarding claim 12, Murray teaches a method of maintaining location and presence status current in a communications system including a plurality of communications devices networked together said method comprising the steps of:

storing location and presence information for a user identified with one or more communications devices; (Col. 4 line 60 through Col. 5 line 43)

monitoring a plurality of communications devices for current location and presence status; (Fig. 3 [111] and Col. 4 line 60 through Col. 5 line 43)

comparing said current location and presence status to stored said location and presence information to identify inconsistencies; (Fig. 6 and Col. 4 line 60 through Col. 5 line 43) and

Art Unit: 2617

sending a notification to a corresponding one of said one or more communications devices. (Col. 4 line 60 through Col. 5 line 43, Fig. 6, Fig. 7 and Col. 10 lines 5-67)

Regarding claim 13, Murray teaches the notification is provided as a text message displayed by at least one of said one or more communications devices. (Col. 3 lines 24-63 and Col. 4 line 60 through Col. 5 line 43)

Regarding claim 14, Murray teaches the step of updating stored location and presence information. (Col. 4 line 60 through Col. 5 line 43 and Fig. 3 [111])

Regarding claim 15, Murray teaches one or more communications devices are identified with a particular communications system user, location and presence information for said particular communications system user being updated and managed from said one or more communications devices. (Col. 4 line 60 through Col. 5 line 43, Fig. 6, Fig. 7 and Col. 10 lines 5-67)

Regarding claim 16, the limitations of claim 16 are rejected as being the same reasons set forth above in claim 12.

Regarding claim 17, the limitations of claim 17 are rejected as being the same reasons set forth above in claim 13.

Regarding claim 18, Murray teaches the text messaging services comprise e-mail, instant messaging and short message service (SMS). (Col. 3 lines 24-63).

Regarding claim 19, the limitations of claim 14 are rejected as being the same reasons set forth above in claim 14.

Regarding claim 20, Murray teaches a computer program product for managing location and presence information for a user associated with a communications device amongst a plurality of communications devices networked together in a communications system, said communications device providing location and presence information to said communication system, said computer program product comprising a computer usable medium having computer readable program code thereon, said computer readable program code comprising:

computer program code means for providing location and presence status to a location context reminder service; (Col. 4 line 60 through Col. 5 line 43)

computer program code means for indicating receipt of reminders, received said reminders indicating inconsistencies between expected current said location and presence information and actual current said location and presence status; (Col. 4 line 60 through Col. 5 line 43, Fig. 6, Fig. 7 and Col. 10 lines 5-67) and

computer program code means for providing location and presence information updates to said location context reminder service. (Col. 4 line 60 through Col. 5 line 43, Fig. 6, Fig. 7 and Col. 10 lines 5-67)

Regarding claim 21, Murray teaches computer program code for indicating reminders comprises computer program code means for text messaging. (Col. 3 lines 24-63 and Col. 4 line 60 through Col. 5 line 43)

Regarding claim 22, Murray teaches computer program code means for text messaging is selected from a group consisting of:

computer program code means for sending and receiving e-mail; (Col. 3 lines 24-63)

computer program code means for instant messaging; (Col. 3 lines 24-63) and
computer program code means for sending and receiving short message service (SMS) messages. (Col. 3 lines 24-63 and Col. 4 line 60 through Col. 5 line 43)

Regarding claim 23, Murray teaches a computer program code means for indicating reminders selects said computer program code means for text messaging from said group. (Col. 3 lines 24-63 and Col. 4 line 60 through Col. 5 line 43)

Regarding claim 24, the limitations of claim 24 are rejected as being the same reason set forth above in claim 12.

Regarding claim 25, the limitations of claim 25 are rejected as being the same reason set forth above in claim 13.

Regarding claim 26, the limitations of claim 26 are rejected as being the same reason set forth above in claim 14.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2617

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MCS
4/5/2007


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